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PTO/SB/25 (07-06)

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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING  
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)  
093-004P

In re Application of: Lakshmi Rambhatla et al.

Application No.: 10/001,267

Filed: 31 October 2001

For: Process for Making Hepatocytes from Pluripotent Stem Cells

The owner, Geron Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/087,142, filed on 1 March 2002, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent; granted on the pending reference application; expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 49,029

Bart W. Wise

Signature

Dec 15 2006

Date

Bart W. Wise

Typed or printed name

850-473-7753

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Attorney Docket No. 093-004P  
Patent

**STATEMENT UNDER 37 CFR 3.73(b)**

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Applicant: Geron Corporation

Application No.: 10/001,267

Filing Date: 31 October 2001

Entitled: **PROCESS FOR MAKING HEPATOCYTES FROM PLURIPOTENT  
STEM CELLS**

**GERON CORPORATION**, a corporation, states that it is the assignee of the entire right, title, and interest of Lakshmi Rambhatla and Melissa K. Carpenter in the patent application identified above, by virtue of:

An assignment from said inventors, a true copy of which is attached hereto.

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

DEC. 15, 2006  
Date

  
Signature

David J. Earp, Registration No. 41,401  
Typed or Printed Name

Chief Patent Counsel  
Title

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ASSIGNMENT

PATENT  
Docket No.: 093/004P

COPY

Whereas we, Lakshmi Rambhatla and Melissa K. Carpenter

executed employment agreements with Geron Corporation (hereinafter called Geron), a Delaware Corporation having its principal place of business at 230 Constitution Drive, Menlo Park, CA 94025, whereby we have agreed to assign to Geron all inventions (except as otherwise limited by law) which relate to Geron business and which were first conceived or actually reduced to practice during our employment by Geron;

Now, therefor, pursuant to the terms of said employment agreements and for good and valuable consideration, receipt of which is hereby acknowledged, we do hereby sell, assign and transfer unto Geron, its successors and assigns, the entire right, title and interest, including the right of priority in, to and under an application for Letters Patent of the United States entitled:

**PROCESS FOR MAKING HEPATOCYTES FROM PLURIPOTENT STEM CELLS**

[X] Serial No. 10/001,267 filed on October 31, 2001 and the inventions set forth and described therein, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor;

And for the above consideration, we agree promptly upon request of Geron, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, continuation, divisional or reissue, or other papers which may be necessary or desirable fully to secure to Geron, its successors and assigns, the inventions described in said application and all patent rights therein, in the United States and in any country foreign thereto, and to cooperate and assist in the prosecution of interference proceedings involving said inventions and in the adjudication or reexamination of said Letters Patent provided the expenses which may be incurred by me in lending such cooperation and assistance are paid by Geron.

In witness whereof, we hereunto set our hands and seal:

Inventor's  
Signature:Lakshmi Rambhatla

Date:

2-28-02Inventor's  
Signature:Melissa K. Carpenter

Date:

3/1/02

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**geron**

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*Facsimile Transmittal Sheet*

**LAST PAGE**

**USSN 10/001,267**

**Attorney Docket 093/004P**